

WolfBlock

1650 Arch Street, 22nd Floor, Philadelphia, Pennsylvania 19103-2097
Tel: (215) 977-2000 ■ Fax: (215) 977-2740 ■ www.WolfBlock.com

David L. Gollin
Direct Dial: (215) 977-2335
Direct Fax: (215) 405-3935
E-mail: dgollin@wolfblock.com

August 25, 2003

VIA FACSIMILE AND FIRST CLASS MAIL

Ronald L. Phillips, Esquire
EEOC - Baltimore District Office
City Crescent Building, 3d Floor
10 South Howard Street
Baltimore, MD 21201

Pamela J. White, Esquire
OBER KALER
120 East Baltimore Street
Baltimore, Maryland 21202-1643

Re: EEOC & Koch v. LA Weight Loss
Civil Action No.: S-02-CV-648

Dear Ron and Pam:

The EEOC's Motion to Compel has raised the question of which of Ms. Koch's counsel is taking the lead with respect to discovery. To date, LA Weight Loss has been served with duplicate discovery requests and demands for information with respect to Ms. Koch's claims from both of you. Such duplicative conduct has resulted in LA Weight Loss negotiating certain issues with one of you, while the other files motions with the Court over the same issues. A similar problem is likely to arise at depositions. We anticipate that both of you intend to examine LA Weight Loss employees and former employees on behalf of Ms. Koch. This approach is unduly burdensome and harassing to LA Weight Loss.

The Federal Rules are clear that it is a party who is entitled to discovery not a party's lawyers. Because Ms. Koch has two sets of lawyers does not mean she gets two chances at discovery. Accordingly, LA Weight Loss requests that Ms. Koch designate who will be taking the lead on various discovery. Ms. Koch must designate (obviously, it is her choice) either the EEOC or Ms. White to take the lead for each deposition or written discovery. Please let me know prior to the Goldshlack deposition. If you will not agree, LA Weight Loss will file for a protective order on this matter.

DSB:929832.1/LAW024-158357

Cherry Hill, NJ ■ Harrisburg, PA ■ Newark, NJ ■ New York, NY ■ Norristown, PA ■ Philadelphia, PA ■ Wilmington, DE

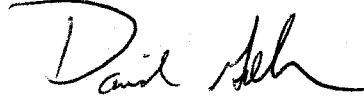
Wolf, Block, Schorr and Solis-Cohen LLP
A Pennsylvania Limited Liability Partnership

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Ronald L. Phillips, Esquire
Pamela J. White, Esquire
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If you have any questions, or if you would like to discuss this matter, please call me.

Sincerely,

A handwritten signature in dark ink, appearing to read "David L. Gollin". The signature is fluid and cursive, with a large initial "D" and a stylized "G".

David L. Gollin

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

cc: David E. Landau, Esquire